

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOB’S DAUGHTERS INTERNATIONAL,

Plaintiff,

v.

HEIDI YOAST,

Defendant; *and*

HEIDI YOAST,

Counterclaim Plaintiff,

v.

JOB’S DAUGHTERS INTERNATIONAL,
SHELLY COLE aka SHELLY
HOWRIGON, an individual, ROD REID, an
individual

Counterclaim Defendant

NO. 16-CV-01573-RSL

**DECLARATION OF HEIDI YOAST
IN SUPPORT OF HER OPPOSITION
TO COUNTERCLAIM DEFENDANT
SHELLY COLE’S MOTION TO
DIMSIS COUNTERCLAIM**

I, Heidi Yoast, hereby declare as follows:

1. I am over the age of 18, make this Declaration based on personal knowledge and am competent to testify as set forth herein.

1 2. I have personal knowledge of the facts set forth herein and if called to testify
2 thereto would state and allege the following:

3 3. This declaration is provided in support of my opposition to Ms. Shelly Cole's
4 Motion to Dismiss the Counterclaim.

5 4. I am currently a resident of Maple Valley, Washington and have lived in the state
6 of Washington since 1970, except for a period of approximately 5 years between 1991 and 1996.

7 5. I am a Past Honored Queen, Majority Member, and Past Grand Bethel Honored
8 Queen from the state of Washington – all titles earned during my membership in Job's Daughters
9 International.

10 6. On September 9, 2014, Ms. Cole contacted me regarding the "Jobie Letterman
11 Jacket" I was designing and making for Miss Brianna Hall, the then Grand Bethel Honored Queen
12 of the state of Missouri, also a Past Miss Missouri and Past Miss International Job's Daughter. A
13 true and correct copy of those messages are attached hereto as Exhibit A.

14 7. Later that week, I spoke on the telephone with Ms. Cole regarding Cole's request
15 to use my overall varsity jacket concept for "Supreme 2018 sales," which is a fundraiser for Job's
16 Daughters International's Supreme Session in 2018, during which Ms. Cole would be Supreme
17 Guardian.

18 8. During this telephone conversation, I told Shelly Cole that I would be willing to
19 create a different product for Supreme 2018 sales, but would not do purple varsity jackets for the
20 Supreme Session 2018 as it would directly compete with Brianna's vision and fundraiser.

21 9. I had no further contact with Ms. Cole regarding the varsity jackets, as I was the
22 primary caregiver for my parents and dealing with the declining health of both my father and
23 mother, who subsequently passed on November 9, 2014 and March 17, 2015, respectively.

24 10. On October 8, 2015, I posted a picture of a "one off" sash I had created as a gift
25 on my public Facebook page entitled "Got Jobies" (which is now "Sweet JoRaDe"). A true and
26 correct picture of that sash is attached hereto as Exhibit B.

1 11. Not long after that picture was posted, Ms. Cole came onto my page and publicly
2 attacked me, demanding to know where my profits went, accusing me of competing with her
3 fundraising, and generally just being inappropriate. A true and correct copy of this Facebook
4 exchange on my public page is attached hereto and incorporated herein as Exhibit C.

5 12. After this public attack, I privately reached out to Ms. Cole trying to “clear a
6 whole mess of things up” regarding the sash. Ms. Cole responded that she had been discussing
7 me with a “Washington Past Bethel Guardian” and a “Daughter from WA” as well (Exhibit A).

8 13. Once again, I had minimal contact with Ms. Cole for nearly a year.

9 14. On July 28th, 2016 at approximately 3:16 in the afternoon Shelly Cole, in front of
10 a large gathering of Officers, volunteers and guests of Job’s Daughters International, told the
11 crowd that a “Past Grand Bethel Honored Queen from Washington” had been sent several cease
12 and desist letters but continued to infringe on JDI’s trademarks. I was sent pictures of the incident
13 via email from a Past Supreme Guardian, Ms. Patty Reardon, also a Past Grand Guardian of
14 Washington. A true and correct copy of that email is attached hereto as Exhibit D.

15 15. On August 1, 2016 Susan Brady, mother of the then Grand Bethel Honored Queen
16 of Washington contacted me distressed and concerned, as her Daughter Valerie was told she was
17 not allowed to have me make her any custom Grand Bethel Honored Queen items. A true and
18 correct copy of that message is attached hereto as Exhibit E.

19 16. On August 11, 2016 I received confirmation from Melodie Oberdorfer, the then
20 Grand Guardian of Washington, that Shelly Cole demeaned me during the Supreme Guardian
21 Council meeting. I reached out to Ms. Oberdorfer via telephone and Ms. Oberdorfer confirmed
22 that she had alerted the Grand Bethel, Grand Guardian Council, Bethels, and members of JDI in
23 the State of Washington to the situation and asked them not to use me for any promotional items.
24 A true and correct copy of that message is attached hereto as Exhibit F.

25 17. On October 14th, 2016 I received a message via Facebook from Leslie Rawls
26 Hoglund saying she witnessed Shelly Cole’s very public demeaning of me. A true and correct

1 copy of that message, and subsequent messages from Ms. Hoglund, is attached hereto as Exhibit
2 G.

3 18. On August 11, 2016, I wrote to Shelly Cole and copied the Board of Trustees
4 requesting Ms. Cole retract her false statements and issue an apology to the Daughters and Grand
5 Guardian Council of Washington. A true and correct copy of that letter is attached hereto as
6 Exhibit H.

7 19. On August 11, 2016 Shelly Cole replied to my letter via email. A true and correct
8 copy of that email is attached hereto as Exhibit I.

9 20. On August 11, 2016 Shelly Cole also sent me a message via Facebook Messenger
10 (Exhibit A).

11 21. On October 1, 2017, I downloaded a copy of Shelly Cole's travel schedule as a
12 member of Job's Daughters International's Supreme Team from
13 <https://jobsdaughtersinternational.org/supreme-team-calendar/>. A true and correct copy of that
14 schedule is attached hereto as Exhibit J.

15 I declare under penalty of perjury that the foregoing is true and correct to the best of my
16 knowledge and belief.

17 DATED this 1st day of October, 2017 at Maple Valley, Washington.

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20 Heidi Yoast
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1 **CERTIFICATE OF SERVICE**

2 The undersigned declares and states as follows:

3 I am a citizen of the United States, over the age of 18 years, not a party to the above-
4 referenced matter, and am competent to be a witness.

5 On October 1, 2017, I electronically filed the following document(s):

6 **DECLARATION OF HEIDI YOAST IN SUPPORT OF HER**
7 **OPPOSITION TO COUNTERCLAIM DEFENDANT SHELLY COLE'S**
8 **MOTION TO DISMISS COUNTERCLAIM**

9 with the Clerk of the Court using the CM/ECF system which will send notification of such
10 filing to all associated counsel of record.

11 I also served said documents in the manner set forth below on the following parties:

12 Rodney L. Umberger, WSBA #24948
13 Daniel J. Velloth, WSBA #44379
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21 *Attorneys for Plaintiff*

- ☐ *Via U.S. Mail*
☐ *Via Facsimile Transmission*
☒ *Via Email by USDC Western
District EM/ECF Filing System*
☐ *Via Hand-Delivery*

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☐ *Via Facsimile Transmission*
☒ *Via Email by USDC Western
District EM/ECF Filing System*
☐ *Via Hand-Delivery*

Attorneys for Plaintiff Job's Daughters International

27 I declare under penalty of perjury according to the laws of the State of Washington that
28 the above statements are true and correct.

29 SIGNED at Burbank, California this 1st day of October, 2017.

30 /s/ Patricia Forman
31 Printed name: Patricia Forman